

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ADP-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

RSR-01 /247 W

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TO SECSTATE WASHDC 1067

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E.O. 11652:

TAGS: PBOR, UN

SUBJ: LOS: SUBCOMMITTEE I WORKING GROUP MEETING

AUGUST 7

1. SUMMARY: WG SESSION DEVOTED TO CONSIDERATION OF
SOVIET DRAFT PREAMBLE AND ARTICLE ON SEABED LIMITS.
END SUMMARY.

2. SEABED LIMITS. SOVIETS DISTRIBUTED SHORT ARTICLE
SETTING SEABED LIMITS AT OUTER LIMIT OF THE CONTINENTAL
SHELF (ESTABLISHED AT 500-METER ISOBATH) OR, WHERE
THERE IS NO CONTINENTAL SHELF, AT 100 MILES FROM
COAST. JAPANESE REP PROPOSED ALTERNATE TEXT: "THE
AREA SHOULD COMPRISE THE SEABED AREA OR SUBSOIL
THEREOF SEAWARD OF THE OUTER LIMIT OF THE COASTAL
SEABED AREA IN WHICH THE COASTAL STATE, BY VIRTUE OF
ARTICLE BLANK OF THE CONVENTION ON BLANK EXERCISES
SOVEREIGN REIGHTS FOR THE PURPOSE OF EXPLORATION AND
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EXPLOITATION OF THE MINERAL RESOURCES OF THE COASTAL

SEABED AREA." JAPANESE REP PROPOSED FURTHER THAT A FOOTNOTE BE ADDED TO EFFECT THAT COASTAL STATE MAY ESTABLISH THE LIMITS OF A COASTAL SEABED AREA UP TO THE LIMIT OF BLANK FROM ITS COAST. PERU PROPOSED FOLLOWING TEXT: "AREA SHALL COMPRISE THE SEABED AND OCEAN SPACE BEYOND THE LIMITS OF NATIONAL JURISDICTION." ARGENTINA PROPOSED: "THE LIMITE OF THE SEABED TO WHICH THE TREATY APPLIES SHALL BE THE OUTER LIMIT OF THE CONTINENTAL MARGIN BOUNDING THE ABYSSAL DEPTSH, OR WHERE SUCH BORDER IS LESS THAN 200 MILES FROM THE COAST, UP TO THAT DISTANCE."

3. UK REP SAID HE UNDERSTOOD THAT SC. I WAS TO MAKE NO RECOMMENDATION ON LIMITS UNTIL IT HAD RECEIVED RECOMMENDATIONS FROM SC.II. HE WARNED THAT DEBATE ON LIMITS IN WG WOULD RISK DUPLICATION OF DISCUSSIONS ELSEWHERE AND PREJUDICING DEBATE IN SC.II. HE SUGGESTED THAT ARTICLE ON LIMITS BE LEFT BLANK UNTIL LATER PERIOD ALTHOUGH HE ACKNOWLEDGED HE COULD NOT REFUSE TO PERMIT ANOTHER DE LFROM PUTTING IN ANY DRAFT TEXT IT LIKES. USSR REP, IN A HEAVILY SARCASTIC REJOINDER, EXPRESSED GRATITUDE TO UK FOR PERMITTING SOVIET UNION TO PLACE ITS PROPOSALS ON RECORD. HE THEN PROCEEDED TO COMPLAIN ABOUT "INEQUITABLE" TREATMENT GIVEN TO SOVIET PROPOSALS IN WG. HE STRESSED THAT LIMITS ISSUE WAS EXTREMELY IMPORTANT, AND OBSERVED THAT IF ARGENTINA PROPOSAL WERE ADOPTED, THERE WOULD BE LITTLE LEFT OF THE COMMON HERITAGE FOR ANYONE AND THERE WOULD BE NO NEED FOR A SPECIAL SEABED REGIME. HE WARNED THAT THE TIME HAD PASSED WHEN SOVIET PROPOSALS COULD BE BRUSHED ASIDE AND HE STATED THAT TO ACHIEVE AN AGREEMENT THERE MUST BE "POLICITAL REALISM" AND HE CONCLUDED BY SAYING THAT LACK OF REALISM WILL HARM THE SEABED TREATY.

4. FRENCH REP PROPOSED THAT LIMITS PROPOSALS BE INCLUDED ALONG WITH FOOTNOTE TO EFFECT THAT FINAL DECISIONON LIMITS WOULD DEPEND ON RESULTS OF DISCUSSION IN SC.II. THIS WAS SUPPORTED BY NORWAY. POLAND SUPPORTED USSR PROPOSAL, STATING THAT OUTER LIMIT OF UNCLASSIFIED

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CONTINENTAL SHELF SHOULD BE LIMIT OF INTERNATIONAL SEABED AREA BUT THIS SHOULD NOT BE TOO FAR FROM COAST SO THAT AS LARGE AN AREA AS POSSIBLE IS RESERVED FOR INTERNATIONAL COMMUNITY. FOR THIS REASON, WE SUPPORTED COMBINATION OF DEPTH AND DISTANCE CRITERIA ALTHOUGH HE RESERVED HIS POSITIONON SPECIFIC FIGURES IN SOVIET PROPOSAL. HE NOTED THAT POLAND HAS PROPOSED A 200-METER ISOBATH LIMIT.

5. SIMULTANEOUSLY WITH CONSIDERATION OF SOVIET LIMITS ARTICLE, THERE WAS GENERAL DISCUSSION OF SOVIET PRE-AMBULAR TEXT. PERU REP INDICATED HE HAD SEVERAL PROBLEMS WITH TEXT AND ASKED FOR MORE TIME TO CONSIDER IT. SWEDEN PROPOSED PREAMBLE BE CONSIDERED LATER. SOVIET REMARKS SUMMARIZED IN PARA 3 ABOVE ALSO APPLIED TO THOSE WHO OBJECTED TO ITS DRAFT PREAMBLE. RECALLING OBJECTION BY US REP IN PREVIOUS SESSION, USSR REP SAID SEABED ARMS CONTROL TREATY WILL INEVITABLY APPLY TO SEABED AREA AND IF ANYONE IGNORES TREATY AND EMPLACES NUCLEAR WEAPONS ON SEABED, EXPLORATION AND EXPLOITATION OF AREA WILL BECOME IMPOSSIBLE. HE ACKNOWLEDGED THAT SEABED ARMS CONTROL TREATY APPLIES TO CONTINENTAL SHELF AS WELL AS TO DEEP SEABED AREA, BUT SAID IT WOULD BE IMPOSSIBLE TO ARTIFICIALLY DIVIDE TREATY AND HE REJECTED US AND OTHER ARGUMENTS THAT CONSIDERATION OF REFERENCE TO ARMS CONTROL TREATY WAS BEYOND MANDATE OF WG. AUSTRALIAN REP RESERVED ITS POSITION ON PREAMBLE UNTIL A LATER TIME. BRAZIL ARGUED THAT WG NOT QUALIFIED TO DRAFT PREAMBLE. URUGUAY URGED THAT PREAMBLE BE DRAFTED AFTER COMPLETION OF ALL OTHER ARTICLES.

6 DEBATE ON LIMITS AND PREAMBLE WILL CONTINUE AT NEXT SESSION.

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